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7 Attorneys for Petitioner
 8 GEORGE LUK

FILED
 Superior Court of California
 County of Los Angeles

FEB 02 2018

Sherril K. Carter, Executive Officer/Clerk
 By M. Soto, Deputy
 Moses Soto

85-Cherba

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES - STANLEY MOSK COURTHOUSE

11 GEORGE LUK

12 Petitioner,

13 vs.

14 LOS ANGELES POLICE
 15 DEPARTMENT,

16 Respondent.

CASE NO.: **BS 160550**

DEPT.:

JUDGE:

UNLIMITED JURISDICTION

**VERIFIED PETITION FOR WRIT OF
 MANDATE TO ENFORCE REQUEST FOR
 PUBLIC RECORDS UNDER
 CALIFORNIA PUBLIC RECORDS ACT
 [GOV. CODE §§ 6258-6259]**

FILE DATE:

By Fax

19 Petitioner George Luk ("Petitioner") alleges the following:

20 1. Petitioner is the owner/operator of 333 Live, an events venue doing business in
 21 Los Angeles County, California. Petitioner George Luk is an individual residing in the State of
 22 California.

23 2. Respondent the Los Angeles Police Department ("Respondent") is a local public
 24 entity existing under the laws of the State of California, and is located within the County of Los
 25 Angeles.

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VERIFIED PETITION FOR WRIT OF MANDATE TO ENFORCE REQUEST FOR PUBLIC RECORDS UNDER
 CALIFORNIA PUBLIC RECORDS ACT [GOV. CODE §§ 6258-6259]

CIT/CASE: BS160550
 LEA/DEF#:
 RECEIVED:
 DATE PAID: 02/02/16 04:21
 PAYMENT: \$435.00
 CHECK: \$435.00
 CASH:
 CHANGE:
 CARD:
 310

NEWMEYER & DILLION LLP

02/02/2016

1 3. Petitioner operates an events venue, 333 Live, located at 333 S. Boylston, Los
2 Angeles California (the "Property"). The venue hosts many types of special events, such as
3 charitable events, church-related functions, concerts, plays, private parties, birthdays,
4 anniversaries, etc.

5 4. The Property has been operated as an events venue for many years, and had
6 obtained a Conditional Use Permit ("CUP") to conduct certain activities at the location (such as
7 the service/sale of alcoholic beverages).

8 5. In recent events, the Respondent has been targeting the business operations in
9 order to manufacture a case to defeat requests to renew the CUP. As a result, there have been
10 recent zoning hearings to determine the type(s) of uses that can continue at the Property.

11 6. On November 23, 2015, and in order to gather public records related to the CUP
12 issues and the activities of the LAPD, Petitioner, through their legal counsel, made a California
13 Public Records Act ("CPRA") request (the "Request") to the LAPD. A true and correct copy of
14 the Request is attached hereto as Exhibit A and incorporated herein by reference.

15 7. The Request identified 18 categories of narrowly tailored requests and provided
16 that Petitioner would pay the applicable copying charges. The Request also requested that
17 Respondent provide a response within the statutory deadline.

18 8. As of the date of this Petition, the LAPD: (1) did not respond to the Request within
19 the statutory deadline of 10 days (Gov. Code, § 6253, subd. (c)); (2) did not seek additional time
20 (14 days) to respond (*Ibid*); and (3) has refused to produce any of the requested documents as set
21 forth in the Request in violation of Government Code, section 6253, subdivisions (a), (b).

22 9. Notwithstanding Respondent's complete refusal to comply with the law, on
23 January 12, 2016, a zoning hearing was held regarding the CUP with the Office of the Zoning
24 Administrator at City Hall. At this hearing, Petitioner learned for the first time that Respondent
25 had submitted substantial documentation related to the Property in an effort to object to the
26 pending CUP renewal. By essentially sandbagging the Petitioner, by not providing these public
27 records to the Petitioners when requested in the November/December time period, Petitioner's
28 due process rights were infringed upon at this hearing.

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- 2 -

1 10. Also, it is now quite evident, that Respondent was in the actual possession of
2 public records that should have been produced to the Petitioner in response to the Request.
3 Respondent's willful failure to provide/produce the requested records (and/or conceal the records)
4 violates California law.

5 11. Pursuant to Government Code, section 6253, subdivision (c), within 10 days of the
6 written request from Petitioner, Respondent was required to determine whether the request sought
7 copies of disclosable records in the possession of Respondent and to promptly notify Respondent
8 of its determination. As of the date that this Petition, Respondent has not responded whatsoever
9 to the Request and has failed to produce any documents.

10 12. Petitioner was at all times herein mentioned ready to tender the reasonable fees
11 needed to cover Respondent's costs in locating and providing copies of the aforementioned public
12 records.

13 13. Respondent has not raised any objections to disclosure or applicable exemptions
14 under the California Public Records Act or any applicable authority for Respondent's obligation
15 to disclose the public records sought by Petitioners, and therefore any objections are waived.
16 (Gov. Code, § 6255, subd. (b) [objections to disclosure must be made in writing].)

17 14. Petitioner has no adequate remedies at law in that monetary damages will not
18 compensate Petitioner for deprivation of access to the information which Petitioner is seeking.

19 15. Petitioner has incurred costs and reasonable attorney's fees in an amount to be
20 determined at the hearing on this Petition to which Petitioner seek the recovery of pursuant to
21 Government Code, section 6259, subdivision (d).

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VERIFICATION

I, George Luk, am a principal of the Petitioner in the above-entitled proceeding. I have read the foregoing Petition and know the contents thereof. The same is true of my own knowledge except as to those matters which are therein alleged on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed on February 1, 2016 at Los Angeles, California.



George Luk

NEWMAYER & DILLON LLP

02/02/2016

EXHIBIT A

02/02/2016



NEWMAYER DILLION LLP
ATTORNEYS AT LAW

CHARLES S. KROLIKOWSKI
Charles.Krolikowski@ndlf.com

File No.:
3334.101

November 23, 2015

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

CPRA & Letter Request Processing Unit
Los Angeles Police Department
100 West 1st Street
Los Angeles, CA 90012

Re: Public Records Request - 333 S. Boylston, Los Angeles, CA

To Whom It May Concern:

This office represents the owners/operators ("clients") of 333 Live, located at 333 South Boylston Street in the City of Los Angeles ("Subject Property"). My clients have a Conditional Use Permit ("CUP") for the Subject Property issued by the City of Los Angeles ("City") and are currently in the process of seeking to extend the same.

Pursuant to the California Public Records Act (Government Code section 6250 et seq.), we hereby request that copies of the following documents be provided to our office within the statutory time frame. We are prepared to pay the applicable copying charges for the requested documents upon demand from the City. The documents requested are all "public records" as defined in Government Code section 6250, subdivision (d), within the following described categories:

1. All written communications, including but not limited to memos, letters, e-mails, texts, etc. between any person at the City Planning Department and any person at the Los Angeles Police Department ("LAPD") related to the Subject Property over the last seven (7) years.
2. All written communications, including but not limited to memos, letters, e-mails, texts, etc. between any person at the City Code Enforcement Department and any person at the LAPD related to the Subject Property over the last seven (7) years.
3. All written communications, including but not limited to memos, letters, e-mails, texts, etc. between any person at the City Building Department and any person at the LAPD related to the Subject Property over the last seven (7) years.

1333 N. CALIFORNIA BLVD
SUITE 800
WALNUT CREEK, CA 94598
T 925 988 3200
F 925 988 3260

895 DOVE STREET
5TH FLOOR
NEWPORT BEACH, CA 92660
T 949 854 7000
F 949 854 7099

3993 HOWARD HUGHES PKWY
SUITE 530
LAS VEGAS, NV 89169
T 702 777 7500
F 702 777 7599

02/02/2016

4. All documents related to or referring to the CUP for the Subject Property within the last seven (7) years.

5. All police reports related to any citations or complaints related to the use or operations of the Subject Property within the last seven (7) years.

6. All of your internal memorandum, notes, reports, etc. related to the use or operations of the Subject Property within the last seven (7) years.

7. All documents related to any citations or complaints related to the use or operations of the Subject Property within the last seven (7) years.

8. All complaints and citations related to the use or operations of the Subject Property within the last seven (7) years.

9. All documents related to or in support of the LAPD's issuance of Misdemeanor Citation D95342 issued on September 11, 2015, including all evidence such as photos, audio/video recordings or other documentation. (Copy of Citation is attached).

10. All documents related to or in support of the LAPD's issuance of Misdemeanor Citation D28821 issued on October 30, 2015, including all evidence such as photos, audio/video recordings or other documentation. (Copy of Citation is attached)

11. All complaints and citations issued to any other property owner(s) for allegedly violating their CUP within five (5) miles of the Subject Property within the last five (5) years.

12. All complaints and citations issued to any other business operators for allegedly violating their CUP within five (5) miles of the Subject Property within the last five (5) years.

13. All documents related to all reports and interviews of any person(s) related to the LAPD's issuance of Misdemeanor Citation D28821 issued on October 30, 2015.

14. All documents related to all reports and interviews of any person(s) related to the LAPD's issuance of Misdemeanor Citation D95342 issued on September 11, 2015.

15. All documents showing the names of any officers at the LAPD that have communicated in any way with the owners/operators of the Subject Property within the last seven (7) years.

16. All documents showing the names of any person at the City Planning/Building/Code Enforcement Departments that have communicated in any way with the owners/operators of the Subject Property within the last seven (7) years.

17. All communications (including e-mails) with any third party, including other public entities, related to the operations or use of the Subject Property within the last seven (7) years.

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Los Angeles Police Department
November 23, 2015
Page 3

18. All documents reflecting any research into what City Municipal Code sections were relied upon related to the issuance of any citations to the owners/operators of the Subject Property within the last seven (7) years.

Please notify this office when the above-described documents have been copied so that we can pick up the documents. If you have any questions or comments concerning the foregoing, do not hesitate to contact me.

Very truly yours,


Charles S. Krolikowski

CSK:esg

5668702.1

02, 02, 2016

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Q N
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Q N

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|--|-----------|---------------------|------------------------------------|-----------------|------|-------------------|--|----------------|--|
| LOS ANGELES POLICE DEPARTMENT | | CITY OF LOS ANGELES | | MISDEMEANOR | | INFRACITION | | 028821 | |
| NOTICE TO APPEAR | | | | NONTRAFFIC | | | | (Citation No.) | |
| Date of Violation | Time | Day of Week | Arrest DR No. | Evidence DR No. | | | | | |
| 10-16-15 | 1:00 PM | S | | | | | | | |
| Name (First, Middle, Last) | | | | | | | | | |
| 20000000000000000000 | | | | | | | | | |
| Address | | | | | | | | | |
| 1000 N. GARDEN ST. | | | | | | | | | |
| City State ZIP Code | | | | | | | | | |
| LOS ANGELES CA 90007 | | | | | | | | | |
| Driver Lic. No. | State | Class | Age | Birth Date | | | | | |
| 123456789 | CA | C | 25 | 10-10-90 | | | | | |
| Sex | Hair | Eyes | Height | Weight | Race | Other Description | | | |
| M | Brown | Brown | 5'11" | 180 | A | | | | |
| Code | Ordinance | Description | Misdemeanor or Infraction (Circle) | | | | | | |
| 12.21 (A) | LARC | THEFT | M | | | | | | |
| 12.21 (A) | USE | | M | | | | | | |
| | | | M | | | | | | |
| | | | M | | | | | | |
| | | | M | | | | | | |
| | | | M | | | | | | |
| | | | M | | | | | | |
| Location of Violation(s) | | | | | | | | | |
| 333 S. BOWLTON 333 LIVE | | | | | | | | | |
| City and County of Los Angeles | | | | | | | | | |
| Comments (Including RD number) | | | | | | | | | |
| Booking Required (see reverse) | | | | | | | | | |
| <input type="checkbox"/> Violations not committed in my presence, declared on information and belief. <input checked="" type="checkbox"/> I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct. | | | | | | | | | |
| Arresting or Court Officer | | Serial No. | | Date Of | | | | | |
| 10-16-15 | | 10-16-15 | | 10-16-15 | | | | | |
| Date Name of Arresting Officer, if different from Court Officer Serial No. Date Of | | | | | | | | | |
| WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW. | | | | | | | | | |
| X Signature | | | | | | | | | |
| WHEN: ON THIS DATE: 10-16-15 Time: 1:00 PM | | | | | | | | | |
| WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE. | | | | | | | | | |
| WHERE: | | | | | | | | | |
| <input type="checkbox"/> Metropolitan, 1945 Gault Hill Street, Los Angeles, 90007 <input type="checkbox"/> Long Beach, 276 Magnolia Avenue, Long Beach, 90802 <input type="checkbox"/> Van Nuys, 14400 Erwin Street Mall, Van Nuys, 91401 <input type="checkbox"/> San Fernando, 900 Third Street, San Fernando, 91340 <input type="checkbox"/> Chatsworth, 9425 Potrero Avenue, Chatsworth, 91311 <input type="checkbox"/> Arden, 11701 South La Cienega Boulevard, Los Angeles, 90045 <input type="checkbox"/> East Los Angeles, 4848 E. Civic Center Way, Los Angeles, 90022 <input type="checkbox"/> Beverly Hills, 9353 Burton Way, Beverly Hills, 90210 | | | | | | | | | |
| X 210 W TEMPLE ST | | | | | | | | | |
| <input type="checkbox"/> TO BE NOTIFIED <input type="checkbox"/> COURT CLERK | | | | | | | | | |
| * 028821 * | | | | | | | | | |
| DEFENDANT COPY SEE REVERSE | | | | | | | | | |
| Notice to Appear form approved by the Judicial Council of California. FORM 05 02 02 (07/13) | | | | | | | | | |

0210212010

| | | | |
|--|--|---|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): NEWMEYER & DILLION LLP Charles S. Krolikowski (CBN 185177) Louis M. Schotemeyer (CBN 302022) 895 Dove Street, Fifth Floor Newport Beach, CA 92660 TELEPHONE NO.: (949) 854-7000 FAX NO.: (949) 854-7099 ATTORNEY FOR (Name): Petitioner, George Luk | | FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles FEB 02 2016 JUDITH A. Carter, Executive Officer/Clerk By <u>Moses Soto</u> , Deputy | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill Street MAILING ADDRESS: P.O. Box 151 CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse | | CASE NAME: Luk v. Los Angeles Police Department | |
| CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) | | Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402) | |
| | | CASE NUMBER: BS 160550 JUDGE: DEPT: | |

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

| | | |
|--|---|---|
| Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15) | Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43) |
|--|---|---|

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☐ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 1
5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: February 2, 2016

Louis M. Schotemeyer

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
 - Medical Malpractice—Physicians & Surgeons
 - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)
- Employment
 - Wrongful Termination (36)
 - Other Employment (15)

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
 - Collection Case—Seller Plaintiff
 - Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ—Administrative Mandamus
 - Writ—Mandamus on Limited Court Case Matter
 - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment (*non-domestic relations*)
 - Sister State Judgment
 - Administrative Agency Award (*not unpaid taxes*)
 - Petition/Certification of Entry of Judgment on Unpaid Taxes
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint (*not specified above*) (42)
 - Declaratory Relief Only
 - Injunctive Relief Only (*non-harassment*)
 - Mechanics Lien
 - Other Commercial Complaint Case (*non-tort/non-complex*)
 - Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief from Late Claim
 - Other Civil Petition

ORIGINAL

SHORT TITLE: Luk v. Los Angeles Police Department

CASE NUMBER

BS 160550

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 1 HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

Step 3: In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.3.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

1. Class actions must be filed in the Stanley Mosk Courthouse, central district.
2. May be filed in central (other county, or no bodily injury/property damage).
3. Location where cause of action arose.
4. Location where bodily injury, death or damage occurred.
5. Location where performance required or defendant resides.
6. Location of property or permanently garaged vehicle.
7. Location where petitioner resides.
8. Location wherein defendant/respondent functions wholly.
9. Location where one or more of the parties reside.
10. Location of Labor Commissioner Office
11. Mandatory Filing Location (Hub Case)

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

Auto Tort

Other Personal Injury/Property
Damage/Wrongful Death Tort

| A Civil Case Cover Sheet Category No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|--|---|--|
| Auto (22) | <input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death | 1., 2., 4. |
| Uninsured Motorist (46) | <input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist | 1., 2., 4. |
| Asbestos (04) | <input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death | 2. 2. |
| Product Liability (24) | <input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental) | 1., 2., 3., 4., 8. |
| Medical Malpractice (45) | <input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice | 1., 4. 1., 4. |
| Other Personal Injury Property Damage Wrongful Death (23) | <input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death | 1., 4. 1., 4. 1., 3. 1., 4. |

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CASE NUMBER

| | A Civil Case Cover Sheet Category No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|--|---|---|--|
| | Non-Personal Injury/ Property Damage/ Wrongful Death Tort | Business Tort (07) | <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract) |
| Civil Rights (08) | | <input type="checkbox"/> A6005 Civil Rights/Discrimination | 1., 2., 3. |
| Defamation (13) | | <input type="checkbox"/> A6010 Defamation (slander/libel) | 1., 2., 3. |
| Fraud (16) | | <input type="checkbox"/> A6013 Fraud (no contract) | 1., 2., 3. |
| Professional Negligence (25) | | <input type="checkbox"/> A6017 Legal Malpractice | 1., 2., 3. |
| | | <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal) | 1., 2., 3. |
| Other (35) | <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort | 2., 3. | |
| Employment | Wrongful Termination (36) | <input type="checkbox"/> A6037 Wrongful Termination | 1., 2., 3. |
| | Other Employment (15) | <input type="checkbox"/> A6024 Other Employment Complaint Case | 1., 2., 3. |
| | | <input type="checkbox"/> A6109 Labor Commissioner Appeals | 10. |
| Contract | Breach of Contract/ Warranty (06) (not insurance) | <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) | 2., 5. |
| | | <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) | 2., 5. |
| | | <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) | 1., 2., 5. |
| | | <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence) | 1., 2., 5. |
| | Collections (09) | <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff | 2., 5., 6, 11 |
| | | <input type="checkbox"/> A6012 Other Promissory Note/Collections Case | 2., 5, 11 |
| <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014) | | 5, 6, 11 | |
| Insurance Coverage (18) | <input type="checkbox"/> A6015 Insurance Coverage (not complex) | 1., 2., 5., 8. | |
| Real Property | Other Contract (37) | <input type="checkbox"/> A6009 Contractual Fraud | 1., 2., 3., 5. |
| | | <input type="checkbox"/> A6031 Tortious Interference | 1., 2., 3., 5. |
| | | <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) | 1., 2., 3., 8. |
| | Eminent Domain/Inverse Condemnation (14) | <input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____ | 2. |
| | Wrongful Eviction (33) | <input type="checkbox"/> A6023 Wrongful Eviction Case | 2., 6. |
| Unlawful Detainer | Other Real Property (26) | <input type="checkbox"/> A6018 Mortgage Foreclosure | 2., 6. |
| | | <input type="checkbox"/> A6032 Quiet Title | 2., 6. |
| | | <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure) | 2., 6. |
| | Unlawful Detainer-Commercial (31) | <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction) | 2., 6. |
| | Unlawful Detainer-Residential (32) | <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction) | 2., 6. |
| Unlawful Detainer-Post-Foreclosure (34) | <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure | 2., 6. | |
| Unlawful Detainer-Drugs (38) | <input type="checkbox"/> A6022 Unlawful Detainer-Drugs | 2., 6. | |

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CASE NUMBER

| A Civil Case Cover Sheet Category No. | B Type of Action (Check only one) | C Applicable Reasons - See Step 3 Above |
|--|---|---|
| Asset Forfeiture (05) | <input type="checkbox"/> A6108 Asset Forfeiture Case | 2., 6. |
| Petition re Arbitration (11) | <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration | 2., 5. |
| Writ of Mandate (02) | <input checked="" type="checkbox"/> A6151 Writ - Administrative Mandamus | 2., 8. |
| | <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter | 2. |
| | <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review | 2. |
| Other Judicial Review (39) | <input type="checkbox"/> A6150 Other Writ /Judicial Review | 2., 8. |
| Antitrust/Trade Regulation (03) | <input type="checkbox"/> A6003 Antitrust/Trade Regulation | 1., 2., 8. |
| | Construction Defect (10) | <input type="checkbox"/> A6007 Construction Defect |
| | Claims Involving Mass Tort (40) | <input type="checkbox"/> A6006 Claims Involving Mass Tort |
| | Securities Litigation (28) | <input type="checkbox"/> A6035 Securities Litigation Case |
| | Toxic Tort Environmental (30) | <input type="checkbox"/> A6036 Toxic Tort/Environmental |
| Insurance Coverage Claims from Complex Case (41) | <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only) | 1., 2., 5., 8. |
| Enforcement of Judgment (20) | <input type="checkbox"/> A6141 Sister State Judgment | 2., 9. |
| | <input type="checkbox"/> A6160 Abstract of Judgment | 2., 6. |
| | <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) | 2., 9. |
| | <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) | 2., 8. |
| | <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax | 2., 8. |
| | <input type="checkbox"/> A6112 Other Enforcement of Judgment Case | 2., 8., 9. |
| RICO (27) | <input type="checkbox"/> A6033 Racketeering (RICO) Case | 1., 2., 8. |
| Other Complaints (Not Specified Above) (42) | <input type="checkbox"/> A6030 Declaratory Relief Only | 1., 2., 8. |
| | <input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment) | 2., 8. |
| | <input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) | 1., 2., 8. |
| | <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex) | 1., 2., 8. |
| Partnership Corporation Governance (21) | <input type="checkbox"/> A6113 Partnership and Corporate Governance Case | 2., 8. |
| Other Petitions (Not Specified Above) (43) | <input type="checkbox"/> A6121 Civil Harassment | 2., 3., 9. |
| | <input type="checkbox"/> A6123 Workplace Harassment | 2., 3., 9. |
| | <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case | 2., 3., 9. |
| | <input type="checkbox"/> A6190 Election Contest | 2. |
| | <input type="checkbox"/> A6110 Petition for Change of Name | 2., 7. |
| | <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law | 2., 3., 4., 8. |
| | <input type="checkbox"/> A6100 Other Civil Petition | 2., 9. |

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CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., **Step 3** on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

☐ 1. ☒ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10. ☐ 11.

ADDRESS: 100 West 1st Street

CITY:

Los Angeles

STATE:

CA

ZIP CODE:

90012

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.3, subd. (a)].

Dated: 2/2/2016

(SIGNATURE OF ATTORNEY/FILING PARTY)

Louis M. Schotemeyer

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/15).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

02/02/2016